IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR
: PRESENT:
THE HON'BLE MR JUSTICE: **G. BIKSHAPATHY**
AND
THE HON'BLE MR JUSTICE: **CH.S.R.K. PRASAD**

CRIMINAL APPEAL NO. 879 of 2004

(Criminal Appeal under Section 378 (3) & (1) against the Judgment dated: 24-06-2002 in SC NO. 311 of 1996 on the file of the Court of the VI Addl. District and Sessions Judge
(FTC) Court, Machilipatnam

Between:

The Public Prosecutor, High Court of A.P., Hyderabad.

..... Appellant

AND

1 Kalakonda Naga Venkata Satyan Vara Prasada Rao, S/o. Seethapathi Rao, Velma (A3)
2 Nerusu Subba Rao @ China Subba Rao, S/o. Thirupathaiah @ Somulu (A-6)
3 Thommandru Veeraiah, Madiga, S/o. Tirupataiah, (A-8)
4 Bejawada Sambaiah, S/o. Jamalaiah, Coolie, Gowda (A-11)
5 Mekapothula Jamalaiah, S/o. Suryanarayana, Gowda, Toddy Tapper (A-12)
6 Surisetty Venkateswara Rao, S/o. Ramaiah, Kapu, Cultivation, (A-14)
7 Mattakoyya Nageswara Rao @ Nagesu S/o.Veeraiah, Madiga, Coolie (A15)
8 Morala Subba Rao, S/o.Jamalaiah, Gowda, Toddy Tapper (A-16)
9 Thomandru Sundram, S/o. Jamalaiah, Madiga, (A-17)
10 Nallmothu David Son @ Babu Rao, S/o. Moshe, Madiga, Tractor Driver. (A-18)
11 Nallamothu Raja Rao, S/o. Moshe, Madiga, Coolie, (A-19)
12 Mattakoyya Yesu, S/o. Somaiah, Madiga, Coolie, (A-20),
13 Nerusu Venkateswara Rao, S/o. Tirupathaiah @ Somulu,Yadava, Coolie, (A-21),
14 Kolusu Venkaiah, S/o. Hanumanthu, Yadava, Coolie, (A-22),
15 Mattakoyya Rama Rao, S/o. Tirupathaiah, Madiga, Cattle Business broker and Mango Seller, (A-23)
16 Nerusu Nageswara Rao, S/o. Tirupataiah, Yadava, Coolie, (A-24)
17 Mattakoyya Krishna, S/o. Kotaiah, Madiga, (A25)
18 Bajaru Venkateswara Rao, S/o. Ramaiah, Kapu, (A-26),
19 Bajaru Kondalal Rao S/o. Ramaiah, Kapu, (A-27)
20 Mattakoyya Ramudu @ Ramaiah, S/o. Veeraiah, Madiga, Coolie. (A-28)
21 Kalakonda Seethapathi Rao, S/o.Venkata Rama Rao, Velma (A-1)
22 Kalakonda Narayana Rao, S/o. Venkata Rama Rao, Velma, (A-2)

23 Morala Sree Ramulu, S/o. Jamalaiah, Gowda, Toddy Tapper. (A-4)
24 Nerusu Peda Venkateswara Rao, S/o. Veeraiah, Yadava, Coolie, (A-5)
25 Nerusu Chinavenkateswara Rao, S/o. Veeraiah, Yadava, Coolie, (A-7)
26 Koluru Satyanarayana @ Satyam, S/o. Jaladiah,Yadava, (A-10)
27 Bajaru Swamulu (A-13), S/o. Ramaiah, Kapu
(All are R/o. Kothanaguluru Village of (Reddigudem Mandal).

.....Respondents

To
The Superintendent of Police, Krishna District, Machilipatnam

Whereas the aforesaid Appellant hath preferred the appeal u/s 378 (3) & (1) of Cr.P.C. against the Judgment dated: 24-06-2002 in SC NO. 311 of 1996 on the file of the Court of the VI Addl. District and Sessions Judge (FTC) Court, Machilipatnam.

Whereas this court while admitting the Appeal, directed the Registry to post this appeal along with Crl. A. No. 729 of 2002 and directed issue Notice to the Respondents and issue Warrant under Section 390 Cr. P.C to the respondents-Accused for their arrest and production before the VI Additional District and Sessions Judge, Machilipatnam.

Therefore you namely;

The Superintendent of Police, Krishna District, Machilipatnam.

are hereby directed to arrest the said accused-Respondents namely; 1. Kalakonda Naga Venkata Satyan Vara Prasada Rao, S/o. Seethapathi Rao, Velma (A3), 2. Nerusu Subba Rao @ China Subba Rao, S/o. Thirupathaiah @ Somulu (A-6), 3. Thommandru Veeraiah, Madiga, S/o. Tirupataiah, (A-8), 4. Bejawada Sambaiah, S/o. Jamalaiah, Coolie, Gowda (A-11), 5. Mekapothula Jamalaiah, S/o. Suryanarayana, Gowda, Toddy Tapper (A-12), 6. Surisetty Venkateswara Rao, S/o. Ramaiah, Kapu, Cultivation, (A-14), 7. Mattakoyya Nageswara Rao @ Nagesu S/o.Veeraiah, Madiga, Coolie (A15), 8. Morala Subba Rao, S/o.Jamalaiah, Gowda, Toddy Tapper (A-16), 9. Thomandru Sundram, S/o. Jamalaiah, Madiga, (A-17), 10. Nallmothu David Son @ Babu Rao, S/o. Moshe, Madiga, Tractor Driver. (A-18), 11. Nallamothu Raja Rao, S/o. Moshe, Madiga, Coolie, (A-19), 12. Mattakoyya Yesu, S/o. Somaiah, Madiga, Coolie, (A-20), 13. Nerusu Venkateswara Rao, S/o. Tirupathaiah @ Somulu,Yadava, Coolie, (A-21), 14. Kolusu Venkaiah, S/o. Hanumanthu, Yadava, Coolie, (A-22), 15. Mattakoyya Rama Rao, S/o. Tirupathaiah, Madiga, Cattle Business broker and Mango Seller, (A-23), 16. Nerusu Nageswara Rao, S/o. Tirupataiah, Yadava, Coolie, (A-24), 17. Mattakoyya Krishna, S/o. Kotaiah, Madiga, (A25), 18. Bajaru Venkateswara Rao, S/o. Ramaiah, Kapu, (A-26), 19. Bajaru Kondalal Rao S/o. Ramaiah, Kapu, (A-27), 20. Mattakoyya Ramudu @ Ramaiah, S/o. Veeraiah, Madiga,

Coolie. (A-28), 21. Kalakonda Seethapathi Rao, S/o.Venkata Rama Rao, Velma (A-1), 22. Kalakonda Narayana Rao, S/o. Venkata Rama Rao, Velma, (A-2), 23. Morala Sree Ramulu, S/o. Jamalaiah, Gowda, Toddy Tapper. (A-4), 24. Nerusu Peda Venkateswara Rao, S/o. Veeraiah, Yadava, Coolie, (A-5), 25. Nerusu Chinavenkateswara Rao, S/o. Veeraiah, Yadava, Coolie, (A-7), 26. Koluru Satyanarayana @ Satyam, S/o. Jaladiah,Yadava, (A-10), 27. Bajaru Swamulu (A-13), S/o. Ramaiah, Kapu , All are R/o. Kothanaguluru Village of (Reddigudem Mandal wherever they are found and produce them bodily under safe custody before the VI Additional District and Sessions Judge, Machilipatnam.

On Such production the learned VI Additional District and Sessions Judge, Machilipatnam is directed to release the said Accused/Respondents on bail on their each executing personal bonds in a sum of Rs. 5,000/- (Rupees five thousand only) with two sureties each in a like sum to the satisfaction of the VI Additional District and Sessions Judge, Machilipatnam and on their further undertaking that they will attend before this Court as and when the case is listed.

You are also further directed to return this Warrant as early as possible to this court with a detailed report stating the manner in which it has been executed or if not executed the reasons why it has not been executed.

Herein fail not.

JOINT REGISTRAR

To

1. The VI Additional District and Sessions Judge, Machilipatnam, Krishna District. (With a copy of Appeal and memo of grounds)
2. The Superintendent of Police, Krishna District, Machilipatnam. (BY SPEED POST with a copy of Appeal and memo of grounds).

Copies to

3. Two CCs to the Public Prosecutor, High Court of A.P., Hyderabad. (BY SPECIAL MESSENGER).
4. The Section Officer, Criminal Section, High Court of A.P., Hyderabad.

Ksv

HIGH COURT

Ksv
Date of drafting: 17-11-2004

GBJ
&
CHSRKPJ

DATE: 11-11-2004

NOTE: POST THIS APPEAL
ALONG WITH CRL.A. NO. 729 of 2002

ORDER

CRL.A. NO. 879 OF 2004

WARRANTS AGAINST THE RESPONDENTS
AND THEY SHOULD BE PRODUCED BEFORE
THE VI ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MACHILIPATNAM